

United States Court of Appeals  
For the Eighth Circuit

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No. 18-2739

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Aric W. Hall

*Plaintiff - Appellant*

v.

Capella University

*Defendant - Appellee*

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Appeal from United States District Court  
for the District of Minnesota - St. Paul

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Submitted: May 20, 2019

Filed: May 23, 2019

[Unpublished]

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Before BENTON, STRAS, and KOBES, Circuit Judges.

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PER CURIAM.

Aric Hall appeals the district court's<sup>1</sup> dismissal of his diversity action alleging fraud and false advertising against Capella University. After de novo review,

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<sup>1</sup>The Honorable David S. Doty, United States District Judge for the District of Minnesota.

see Montin v. Moore, 846 F.3d 289, 292 (8th Cir. 2017) (standard of review), we agree with the district court that Hall's complaint did not plead his fraud or false advertising claims with the specificity required by Federal Rule of Civil Procedure 9(b), see Fed. R. Civ. P. 9(b) (party must plead circumstances constituting fraud with particularity); E-Shops Corp. v. U.S. Bank Nat'l Ass'n, 678 F.3d 659, 665 (8th Cir. 2012) (Rule 9(b)'s heightened pleading requirement applies to claims arising under Minn. Stat. §§ 325D.44 and 325F.69); Drobnak v. Andersen Corp., 561 F.3d 778, 783 (8th Cir. 2009) (party alleging fraud must plead time, place, and contents of false representation, and identity of person making misrepresentation).

We affirm the judgment of the district court. See 8th Cir. R. 47B.

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